

JUN 14 2004

Fax Cover Sheet

**ESTÉE
LAUDER**
COMPANIES

DATE: June 14, 2004 **TIME:** 4:49 PM
TO: Lauren Q. Wells **PHONE:** (571) 272-0834
U.S.P.T.O. (GAU 1617) **FAX:** (703) 872-9306
FROM: Dorene M. Price **PHONE:** (631) 531-1194
Estée Lauder Companies **FAX:** (631) 531-1340
RE: Response to Final Office Action (S/N 09/248,524)
CC:

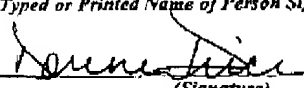
Number of pages including cover sheet: 11





Message

Please see the attached documents.

1. Certificate of Transmission
2. Amendment Transmittal
3. Amendment (8 pp)

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 97.37US-RCE
Applicant(s): Shah			
Application No. 09/248,524	Filing Date February 9, 1999	Examiner Wells, Lauren Q.	Group Art Unit 1617
Invention: Long-Wearing Cosmetic Compositions			
<p>I hereby certify that this _____ Cert, Amend Trans, Amend (8pp) _____ <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306)</p> <p>on <u> June 14, 2004 </u> <small>(Date)</small></p> <div style="text-align: right; margin-top: 100px;"> <p>_____ DORENE M. PRICE <small>(Typed or Printed Name of Person Signing Certificate)</small></p> <p>_____  <small>(Signature)</small></p> </div>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. 97.37US-RCE				
Applicant(s): Shah									
Application No. 09/248,524	Filing Date February 9, 1999	Examiner Wells, Lauren Q.	Customer No. N/A	Group Art Unit 1617	Confirmation No. N/A				
Invention: Long-Wearing Cosmetic Compositions									
COMMISSIONER FOR PATENTS:									
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.									
CLAIMS AS AMENDED									
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE				
TOTAL CLAIMS	22 -	22 =	0 x	\$18.00	\$0.00				
INDEP. CLAIMS	4 -	4 =	0 x	\$86.00	\$0.00				
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00				
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00				
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 05-1320</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p>									
 Signature			Dated: June 14, 2004						
Dorene M. Price (Reg. No. 43,018) Estee Lauder Companies 125 Pinelawn Road Melville, NY 11747 (631) 531-1194			<table border="1"><tr><td>I certify that this document and fee is being deposited on June 14, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</td></tr><tr><td> Signature of Person Mailing Correspondence</td></tr><tr><td>DORENE M. PRICE Typed or Printed Name of Person Mailing Correspondence</td></tr></table>				I certify that this document and fee is being deposited on June 14, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	 Signature of Person Mailing Correspondence	DORENE M. PRICE Typed or Printed Name of Person Mailing Correspondence
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DORENE M. PRICE Typed or Printed Name of Person Mailing Correspondence									
CC:									

JUN 14 2004

Attorney Docket No.: 97.37US-RCE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shah

Serial No.: 09/248,524

Group Art Unit: 1617

Filed: February 9, 1999

Examiner: Wells, Lauren Q.

For: Long-Wearing Cosmetic Compositions

RESPONSE PURSUANT TO 37 CFR 1.111

Introductory Comments

Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Dear Sir:

In the present final Office Action, the claims remain rejected by the Examiner as being unpatentable for reasons previously provided in the Office Actions of July 24, 2003, September 18, 2002 and April 9, 2002 related to obviousness. These issues are discussed on the following pages. Applicants request that the following amendments be entered, and the following remarks be considered.